

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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INVESTIGATIVE POST, INC.,

Plaintiff,

24-CV-00129-JLS-MJR

v.

FEDERAL BUREAU OF INVESTIGATION and

DEPARTMENT OF JUSTICE,

Defendants.

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**JOINT STATUS REPORT**

Plaintiff Investigative Post, Inc. and Defendants, the United States Department of Justice (“DOJ”) together with its component agency the Federal Bureau of Investigation (“FBI”) (the “Defendants”) (collectively, “the Parties”), respectfully submit this Joint Status Report (JSR) to the Court, pursuant to the Court’s September 11, 2024, Text Order (ECF No. 15).

Plaintiff filed this action pursuant to the Freedom of Information Act (FOIA) on February 7, 2024 (ECF No. 1), naming DOJ and the FBS as defendants and seeking records from the FBI. Defendants answered on August 20, 2024 (ECF No. 14). On September 11, 2024, the Court issued a Text Order (ECF No. 15) directing the Parties to jointly complete a Case Management Order by October 11, 2024.

In the interim, the FBI has begun a production schedule wherein it processes at least 500 pages of potentially responsive records per month and produces relevant records on a monthly basis, including a Release Letter stating the number of pages of potentially responsive

records processed and the number of pages released in full or in part. The Release Letter also identifies the specific FOIA Exemptions applied to the production.

On June 28, 2024, the FBI made its first production of records to Plaintiff, including a Release Letter stating that it had processed 500 pages of potentially responsive records and released two pages. The letter also identified the specific FOIA Exemptions applied to the production.

On July 31, 2024, the FBI made its second production of records to Plaintiff, including a Release Letter stating that it had processed 501 pages of potentially responsive records and released five pages. The letter also identified the specific FOIA Exemptions applied to the production.

On August 30, 2024, the FBI made its third production of records to Plaintiff, including a Release Letter stating that it had processed 503 pages of potentially responsive records and released zero pages. The letter also identified the specific FOIA Exemptions applied to the production.

On September 30, 2024, the FBI made its fourth production of records to Plaintiff, including a Release Letter stating that it had processed 504 pages of potentially responsive records and released zero pages. The letter also identified the specific FOIA Exemptions applied to the production.

The FBI will continue to process at least 500 pages of records per month and release responsive records to Plaintiff on a monthly basis until the productions are complete. The FBI estimates that there are approximately 600 pages of potentially responsive records remaining to be processed. Additionally, there are some outstanding pages that have been sent to other

government agencies (OGAs) as part of the consultation process. The FBI will process these pages and provide them to Plaintiff as the consulted pages are returned to the FBI.

The Parties propose that, given the unique nature of this FOIA litigation and that an agreeable production schedule is already in place, in lieu of the traditional case management order the Court order the Parties to submit JSRs to the Court every 60 days until Defendants' production is complete and the Parties can submit a proposed briefing schedule for the submission of summary judgment motions.

Accordingly, the Parties propose to submit another JSR to the Court on December 10, 2024.

Dated: October 11, 2024

Respectfully submitted,

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